

# **EXHIBIT 16**

**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF OHIO**  
**EASTERN DIVISION**

IN RE NATIONAL PRESCRIPTION

OPIATE LITIGATION

*This document relates to:*

*The County of Summit, Ohio, et al. v. Purdue Pharma*  
*L.P., et al., Case No. 18-OP-45090*

MDL 2804

Case No. 17-md-2804

Hon. Dan Aaron Polster

Report of David S. Egilman MD, MPH

March 25, 2019

**7.104 OPINION – IRONICALLY THE UNDER TREATMENT OF  
AFRICAN AMERICANS AND HISPANICS PROTECTED THEM FROM  
OPIOID DEATHS**

See Exhibit B.104 hereto attached.

**7.105 OPINION – JANSSEN PARTICIPATED IN IMPACT PAY TO  
PLAY PROGRAM**

See Exhibit B.105 hereto attached.

**7.106 OPINION – JANSSEN VIOLATED ITS CORPORATE INTEGRITY  
AGREEMENT**

See Exhibit B.106 hereto attached.

**7.107 OPINION – THE DOJ RECOGNIZED THAT WALGREENS'  
DIVERSION PROBLEMS STEMMING FROM ITS JUPITER, FL  
DISTRIBUTION CENTER, IMPACTED OHIO USERS**

See Exhibit B.107 hereto attached.

**7.108 OPINION – MALLINCKRODT KNEW MARKETING INFLUENCED  
DOCTOR PRESCRIBING OF OPIOIDS**

See Exhibit B.108 hereto attached.

**7.109 OPINION – MANUFACTURERS USED WHOLESALERS AS  
CONDUIT FOR MARKETING**

See Exhibit B.109 hereto attached.

**7.110 OPINION – MCKESSON CONTROLLED MARKET SHARE OF  
VARIOUS OPIOIDS.**

See Exhibit B.110 hereto attached.

## 12SIGNATURE

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### RESERVATION OF RIGHTS

This report is a statement of opinions I expect to express in this matter and the basis and reasons for those opinions. This report summarizes only my current opinions and analyses to date, which are subject to change depending upon ongoing discovery and additional information. I respectfully reserve the right to supplement my report in light of this and any other additional fact discovery, opinions by other experts, and/or trial testimony. I also respectfully reserve the right to provide rebuttal opinions and testimony in response to other experts, and rebuttal testimony in response to any fact witnesses. In connection with my anticipated trial testimony in this action, I may use as exhibits various documents produced in this litigation that refer to or relate to the matters discussed in this report. In addition, i respectfully reserve the right to use animations, demonstratives, enlargements of actual attachments, and other information in order to convey my opinions.

I understand that i may be asked to provide further opinions and analyses on other issues, including in response to analyses provided by other experts. I will do so at the appropriate time set by the court.

Executed on this 25th day of March, 2019, in Attelboro, MA.



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Report of David S. Egilman, MD, MPH

March 25, 2019 in Opiate MDL Litigation (MDL 2804)

Exhibit B.107, David S. Egilman Report Opiate Litigation

## **OPINION – THE DOJ RECOGNIZED THAT WALGREENS' DIVERSION PROBLEMS STEMMING FROM ITS JUPITER, FL DISTRIBUTION CENTER, IMPACTED OHIO USERS**

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<https://heroin.palmbeachpost.com/how-florida-spread-oxycodone-across-america/>

[https://apps.palmbeachpost.com/Florida\\_epidemic/](https://apps.palmbeachpost.com/Florida_epidemic/)

<https://www.documentcloud.org/documents/3939567-Walgreens-DOJ-Jupiter.html#document/p4/a384321>

<https://www.justice.gov/archive/usao/wvn/news/2011/june/nineteen-indicted-federal-drug-charges.html>

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June 9, 2011  
FOR IMMEDIATE RELEASE

Nineteen Indicted on Federal Drug Charges

WHEELING, WEST VIRGINIA — United States Attorney William J. Ihlenfeld, II, announced that 17 arrests were made on charges contained in a Superseding Indictment returned by a Federal Grand Jury.

According to USA Ihlenfeld, the Superseding Indictment alleges that the defendants were involved in a large conspiracy to distribute prescription pain medication, including Oxycodone, throughout the Ohio Valley from February 2010 to March 26, 2011. As part of the conspiracy, the defendants allegedly engaged in “doctor shopping” in Daytona Beach, Florida; Jacksonville, Florida; West Palm Beach, Florida; and Rock Hill, South Carolina, by going to doctors in those cities and claiming medical maladies and then requesting and obtaining pain pills, primarily Oxycodone. In addition to the distribution of prescription medications, it is also alleged that other controlled substances were

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distributed by several of the defendants. The Superseding Indictment alleges that in furtherance of the conspiracy, the defendants and others distributed at least 100,000 pills with an illegal street value in excess of \$3,000,000.

The 32-count Superseding Indictment charges 19 defendants with conspiracy to distribute controlled substances; conspiracy to engage in interstate travel in aid of racketeering; two counts of aiding and abetting interstate travel in aid of racketeering; conspiracy to launder money; four counts of money laundering; four counts of using the telephone to distribute drugs; two counts of engaging in monetary transactions in property derived from specified unlawful activity; 13 distribution counts – one within 1,000 feet of a playground which doubles the penalty; three counts of possession with intent to distribute; and one count of maintaining a drug-involved premise.

Thus far, of the 19 defendants, 15 were arrested this morning, two were arrested previously and are in custody, and agents are still looking for two defendants.

The names of those arrested are: KRISTEN ANDERSON, age 23, of Moundsville, West Virginia; RICHARD DONNELLY, also known as “BUBBA”; GEORGANN DZIRONEY, age 36, of Moundsville, West Virginia; JENNIFER JOHNSON, also known as “JJ,” age 34; JOSH MONTGOMERY, also known as “DIDDLE,” age 24, of Moundsville, West Virginia; ROBYN JONES, age 23, of Kissimmee, Florida; JENNIFER KENNEDY, age 34, of Day Beach, Florida; BRANDON P. MCCOURT, age 25, of Martins Ferry, Ohio; PETER POON, age 43, of Wheeling, West Virginia; RICHARD ROUSH, also known as “RICK,” age 27, of Ormond Beach, Florida; ERIC TERLOSKY, age 29, of Charleston, West Virginia; MEGAN TERLOSKY, age 36, of Moundsville, West Virginia; CRAIG VEGA, also known as “INKY,” age 39, of Moundsville, West Virginia; FRED WILDERN, JR., also known as “FAST FREDDY,” age 62, of Triadelphia, West Virginia; and DAVID T. WOOD, II, also known as “JR,” age 32, of Moundsville, West Virginia.

The following individuals are in custody on related charges: CHRISTOPHER L. GRIGG, also known as “POOKS,” age 24, of Bridgeport, Ohio, and DAVID L. KIDD, II, age 42, of Martins Ferry, Ohio. Both GRIGG and KIDD were indicted in April due to speedy trial requirements, and the Indictment returned this week was a Superseding Indictment, charging them again and 17 others.

The names of those who are still wanted are: HEATHER BURKEY, age 33, of Moundsville, West Virginia; and DONNA A. JONES, age 29, of Nevada.

“The steady flow of pain pills into the Ohio Valley from Florida must stop, and this Indictment should send a message that we are serious about attacking the problem. We have our eyes on other similar operations in the Northern District and plan to take them down as well,” said USA Ihlenfeld. “This conspiracy would not have developed without the complicity of physicians who improperly prescribed medication to many of the individuals that we have charged. While no doctors were indicted this week please rest assured that we are actively pursuing them and will use all of our resources to make sure that they are also held accountable.”

Law enforcement officials joining USA Ihlenfeld for this announcement include: Marshal Gary Gaskins, United States Marshal Service; Kenneth A. Winkie, Group Supervisor, Drug Enforcement Administration; Captain T. D. Bradley, West Virginia State Police - Bureau of Criminal Investigation; Tom Jankowski, Special Agent in Charge, Internal Revenue Service - Criminal Investigation; Chief

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Robert G. Matheny, Wheeling Police Department; Sheriff Patrick Butler, Ohio County Sheriff's Department; Sheriff John Gruzinskas, Marshall County Sheriff; Acting Chief Darren Whipkey, Moundsville Police Department; and Acting Chief John P. McFarland, Martins Ferry Police Department.

In addition to charges contained in the Superseding Indictment, there is a Forfeiture Allegation wherein the United States seeks to forfeit property that was used or intended to be used to commit or facilitate the commission of offenses alleged in the Indictment or real property that constitutes or was derived from proceeds traceable to such offenses, including, but not limited to:

- \$43,834 in United States Currency and a firearm seized from KIDD's residence on March 26, 2011;
- \$2,907.65 in United States Currency and six firearms seized from GRIGG's residence on March 26, 2011;
- \$13,502 in United States Currency seized from KIDD and GRIGG during a traffic stop in Volusia County, Florida, on March 25, 2011;
- \$1,171 in United States Currency seized from JOHNSON on March 26, 2011;
- \$2,110 in United States Currency seized from VEGA, MEGAN TERLOSKY, and ERIC TERLOSKY;
- the residence owned by KIDD at 717 Elm Street, Martins Ferry, Ohio;
- the residence owned by WOOD at 1334 Ruby Street, Moundsville, West Virginia;
- 2008 Honda Ridgeline owned by KIDD;
- 2005 Chevy Equinox titled in the name of JOHNSON;
- Compaq Presario laptop computer seized from KIDD and GRIGG on March 25, 2011, in Volusia County, Florida; and
- a money judgment in the amount of at least \$3,000,000.

In addition to the above items that we are seeking to forfeit as part of this Superseding Indictment, agencies involved have already seized more than \$72,000.00, eight firearms, and approximately 10,700 prescription pills with a street value of between \$260,000 and \$320,000.

"Today's arrests have effectively disrupted a multi-jurisdictional drug trafficking organization responsible for the diversion of prescription drugs into illicit markets," said Special Agent-in-Charge Ava A. Cooper-Davis of the Drug Enforcement Administration's Washington Division. "The diversion and abuse of prescription drugs continues to be a major threat to young adults. Today's arrests clearly demonstrate DEA's commitment, by working with our state and local partners, to stop drug traffickers who profit from the harm they present to our community."

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“With the ever growing epidemic of prescription pill abuse in our state, this is a prime example of what lengths individuals will go to in order to obtain them,” stated Captain Bradley. “The State Police is proud to be involved in this collaborative effort to attack and destroy these illegal drug trading organizations.”

Please see the attached Defendant Data Sheets for specific charges on each defendant.

The case will be prosecuted by USA Ihlenfeld and Assistant United States Attorney John C. Parr. The case was investigated by the Drug Enforcement Administration, the West Virginia State Police-Bureau of Criminal Investigation, the Ohio Valley Drug & Violent Crime Task Force, the Moundsville Police Department, the Marshall County Sheriff’s Department, Internal Revenue Service-Criminal Investigation Division, the Martins Ferry Police Department, the Volusia Bureau of Investigations - Central Florida HIDTA, and the Drug Enforcement Administration in Orlando, Florida. The Ohio Valley Drug & Violent Crime Task Force consists of the Wheeling Police Department, the Ohio County Sheriff’s Department, and the Drug Enforcement Administration. The United States Marshal Service assisted in this morning’s arrests.